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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,642	10/17/2003	Joachim Fouret	103180-50408-122613	1962
35437	7590	06/09/2006	EXAMINER	
MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO 666 THIRD AVENUE NEW YORK, NY 10017			HAROLD, JEFFEREY F	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 06/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/688,642

Applicant(s)

FOURET ET AL.

Examiner

Jefferey F. Harold

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6-9,12,16 and 17 is/are rejected.
- 7) ☒ Claim(s) 2,4,10,11 and 13-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 6-9, 12, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanrikulu (United States Patent 7,020,272).

Regarding claims 1, Tanrikulu discloses high density signal classifier for media gateways. In addition, Tanrikulu discloses a method of detecting linear voice signal, DTMF signals in a packetized comprising the steps of: (a) filtering the packetized through a plurality of notch filters having a pair of notches at DTMF frequencies and each of said notch filters producing a filtered signal; (b) calculating an energy level for each of said linear voice signal filters, each of said filtered signals; (c) evaluating one or more criteria using the calculated energy levels; and (d) if the criteria are met, producing a DTMF indicator, as disclosed a column 10, line 1 through column 17, line 12.

Regarding claim 3, Tanrikulu discloses everything claimed as applied above (see claim 1), in addition, Tanrikulu discloses wherein the packetized linear voice signal and the filtered signals include frames, and wherein the step of calculating includes

calculating the energy level over a selected frame of each of the filtered signals, as disclosed a column 10, line 1 through column 17, line 12.

Regarding claim 5, Tanrikulu discloses everything claimed as applied above (see claim 1), in addition, Tanrikulu discloses wherein the energy levels include a minimum energy level and a maximum energy level and wherein the step of evaluating includes determining whether the maximum energy level exceeds the minimum energy level by at least a predetermined amount, as disclosed a column 10, line 1 through column 17, line 12.

Regarding claim 6, Tanrikulu discloses everything claimed as applied above (see claim 1), in addition, Tanrikulu discloses wherein the energy levels include a minimum energy level and a second-to-minimum energy level and wherein the step of evaluating includes determining whether the second-to-minimum energy level exceeds the minimum energy level by at least a predetermined threshold, as disclosed a column 10, line 1 through column 17, line 12.

Regarding claim 7, Tanrikulu discloses everything claimed as applied above (see claim 1), in addition, Tanrikulu discloses wherein the energy levels include a minimum energy level corresponding to the filtered signal produced by a first of the second notch filters having a notch at a first lower DTMF frequency, and wherein the step of evaluating includes determining whether the energy level for a second of the notch filters exceeds the energy level for a third of the notch filters by a predetermined threshold, wherein the second and third filters both include a notch at the first lower DTMF frequency, as disclosed a column 10, line 1 through column 17, line 12.

Regarding claim 9, Tanrikulu discloses everything claimed as applied above (see claim 1), in addition, Tanrikulu discloses wherein the energy levels include a minimum energy level corresponding to the filtered signal produced by a first of the notch filters having a notch at a first upper DTMF frequency, and wherein the step of evaluating includes determining whether the energy level for a second of the notch filters exceeds the energy level for a third of the notch filters by a predetermined threshold, wherein the second and third filters both include a notch at the first upper frequency, as disclosed a column 10, line 1 through column 17, line 12.

Regarding claims 12, 16 and 17, they are interpreted and thus rejected for the reasons set forth above in the rejection of claims 1, 3, and 6-9.

Allowable Subject Matter

Claims 2, 4, 10, 11, 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

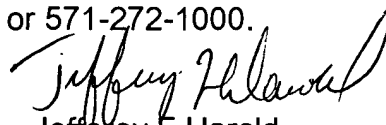
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is 571-272-7519. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JFH
June 7, 2006



Jefferey F Harold
Primary Examiner
Art Unit 2614